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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

On

August 11, 2004

TOWNSEND and TOWNSEND and CREW LLP

By

Malinda C. Dagit

PATENT
Attorney Docket No.: 018781-006210US
Client Ref. No.: T00-013-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LIN et al.

Application No.: 09/891,138

Filed: June 25, 2001

For: NOVEL RECEPTORS

Customer No.: 20350

Confirmation No.: 8826

Examiner: Christopher J. Nichols

Art Unit: 1647

DECLARATION UNDER 37 C.F.R. §1.132
BY DANIEL LIN, PH.D.

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

1. I, Daniel Lin, Ph.D., am a scientist at Tularik Inc., a biopharmaceutical company headquartered in South San Francisco, CA and the assignee of the above-referenced patent application. I am the inventor of the subject matter disclosed and claimed in the above-referenced patent application. I am also an author on the article by He, *et. al.*, in *Nature* 429:188-193, 2004, a copy of which accompanies the response submitted with this Declaration.

2. The mouse G-protein-coupled receptor GPR91 that is a subject of the *Nature* article is the same as mouse TGR18 of the current application, *i.e.*, it is encoded by the coding region of the nucleic acid sequence shown as SEQ ID NO:1 on page 58 of the specification. This nucleic acid encodes the polypeptide shown in SEQ ID NO:2. All of the experiments relating to mouse

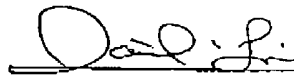
Application Serial No. 09/891,138
Page 2

GPR91 in the *Nature* article employed this sequence, unless otherwise specifically indicated in the paper.

3. I further declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment or both (18 U.S.C. § 1001), and may jeopardize the validity of the patent application or any patent issuing thereon.

Date: 7/26/2004

By:



Daniel Lin, Ph.D.